

COMMITTEE ON K-12 EDUCATION

Representative Mark Anderson, Chairman
Representative Warde V. Nichols, Vice-Chairman
Brian Lockery, Legislative Research Analyst
Thomas Adkins, Assistant Research Analyst



* Strike-everything Amendment
[E] Emergency Clause
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HB 2064 – Chapter 4 – *English language learners

Revises the process for assessment, classification, reassessment and monitoring of pupils with a primary or home language other than English; establishes the 9-member Arizona English Language Learners Task Force (Task Force) charged with specified duties including developing and adopting research-based models of structured English immersion (SEI); requires school districts and charter schools to adopt at least one SEI model or develop an SEI program and submit SEI budget requests for English language learners (ELL) SEI programs; establishes duties for the Arizona Department of Education (ADE) and the Auditor General; establishes the Arizona Structured English Immersion Fund (SEI Fund) and the Statewide Compensatory Instruction Fund (SCIF); codifies some monitoring of school districts and charter schools for ELL programs; makes numerous appropriations; contains a legislative intent section and a conditional enactment section; increases the ELL Group B weight in FY 2006-07; and makes numerous other changes to the ELL statutes.

Assessment and Classification

- Requires the primary or home language for all new pupils who enroll in a school district or charter school to be identified in a manner prescribed by the Superintendent of Public Instruction (Superintendent).
- Requires the English language proficiency of all pupils with a primary or home language other than English be assessed through English language proficiency exams using a process prescribed by the Superintendent. The ADE must annually request an appropriation to pay for the purchase of all language proficiency assessments, scoring and ancillary materials.
- Declares that a pupil must be classified an ELL and be enrolled in SEI or bilingual education if it is determined that the pupil is not English language proficient.

Arizona English Language Learners Task Force

- Establishes the 9-member Task Force within the ADE consisting of two members appointed each by the President of the Senate, the Speaker of the House of Representatives and the Governor, and three members appointed by the Superintendent. The Task Force must:
 - ⇒ By September 1, 2006, develop and adopt research-based models of SEI programs for use by school districts and charter schools. The models must include specified factors, be the most cost-efficient models of SEI that meet all federal and state laws, be limited to programs for ELLs to participate in a SEI program not normally intended to exceed one year and be limited to a regular school day and regular school year. Instruction outside the regular school day and year must be provided through compensatory instruction which may be eligible for compensatory instruction funding. The Task Force must identify the minimum amount of English language development per day for all models. Additionally, the Task Force must develop separate models for the first year in which a pupil is classified as an ELL that includes a minimum of four hours per day on English language development.
 - ⇒ Submit the research-based models of SEI to the Legislature, the Governor and the State Board of Education (SBE). Additionally, the models must be submitted to the Joint Legislative Budget Committee (JLBC) for review at least 30 days of adoption by the Task Force.
 - ⇒ Review models of research-based SEI annually and delete, add or modify the existing models.
 - ⇒ Establish a procedure to determine the incremental costs for the adopted research-based models of SEI.

- ⇒ Establish a form for school districts and charter schools to determine the SEI incremental budget request amount. The maximum formula amount is the incremental costs of the adopted model minus all federal Title III monies and any other federal monies designated solely for the educational needs of ELLs, the portion of federal Title I, Title II A, impact aid and statutory desegregation monies determined by the ELL population as a percentage of the qualified population and the Group B ELL weight. The impact aid monies must be from unexpended impact aid monies after the school district has applied its impact aid monies for other allowable uses as permitted by state law. The difference is the budget request for monies from the SEI Fund. Beginning July 15, 2008, pupils who have been classified ELL after July 1, 2007 and who have been classified an ELL for more than two years are prohibited from being used in the calculation of incremental costs for school district and charter school SEI budget requests.

Optional Programs

- Allows a school district or charter school to adopt an ELL program not based on a model adopted by the Task Force. The school district or charter school must submit the proposed program along with supporting documentation regarding the expected outcomes of the program on the school district's or charter school's ELL students to the Task Force for approval. Upon receiving the proposed program, the Task force may approve the proposed program, provide limited approval subject to specific stipulations prescribed by the SBE or reject the proposed program and identify a Task Force approved model to adopt.

Budget Requests

- Requires each school district and charter school to:
 - ⇒ Select one or more Task Force-approved models of SEI for implementation on a school-by-school basis.
 - ⇒ Submit a SEI budget request on a school-by-school basis for a specific amount from the SEI Fund.
 - ⇒ Include in their SEI budget request the signature of specified persons that certifies that the information in the SEI budget request is true to the best of that person's knowledge, has been calculated pursuant to the formula and that monies from the SEI Fund shall not be used to supplant any federal, state or local, including desegregation, monies used for ELLs as of February 23, 2006.
 - ⇒ Beginning July 1, 2007, submit a SEI budget request annually to the ADE by September 15. The ADE must verify the SEI budget request of each school district and charter school for accuracy and compliance, and must collect the SEI budget requests and submit them to the Legislature for funding from the SEI Fund.

Arizona Structured English Immersion Fund

- Establishes the SEI Fund administered by the ADE. ADE must annually request an appropriation for the purposes of the Fund.
- Prohibits monies from the SEI Fund from being distributed for a pupil for more than two fiscal years.
- Requires each school district and charter school to establish a local level SEI Fund to receive monies from the Arizona SEI Fund.

- Requires school districts and charter schools to use monies from the SEI Fund to supplement existing programs for ELLs. Monies must not be used to supplant available monies used to pay for the normal costs of conducting programs for English proficient students.

Reassessing ELLs

- Requires ELLs to be reassessed for the purpose of determining English language proficiency at least annually at the end of each school year through a process prescribed by the Superintendent.
- States that pupils who score at or above the English language proficiency test publisher's designated score for English proficiency must be reclassified as English proficient. After reclassification, the pupil must be transferred to English language mainstream classrooms.

Former ELL Monitoring

- Requires the English language proficiency of each pupil previously classified as an ELL within the last two years to be tested annually at the end of the school year in the same manner as assessing for the first time. Pupils who fail to demonstrate English language proficiency must be classified as an ELL and be reenrolled in SEI, subject to parental consent, and may be provided compensatory instruction. The Superintendent must prescribe the manner in which pupils are reevaluated.

Statewide Compensatory Instruction Fund

- Establishes the Statewide Compensatory Instruction Fund (SCIF) administered by the ADE.
- Requires school districts and charter schools to:
 - ⇒ Demonstrate to the ADE that the school district or charter school has established a satisfactory compensatory instruction program.
 - ⇒ Annually submit written compensatory instruction budget requests to the ADE by July 15 on a form developed by the ADE and signed by specified persons that the monies from the SCIF must not be used to supplant any federal, state or local, including desegregation, monies for ELLs that were budgeted for ELLs as of February 23, 2006. The written requests must include an analysis of compensatory instruction effectiveness. Monies from the SCIF must be used to supplement existing programs and must not be used to supplant any federal, state or local, including desegregation, monies used for compensatory instruction for ELLs as of February 23, 2006.
 - ⇒ Establish a local level compensatory instruction fund to receive SCIF monies.

ADE Duties

- Establishes the ADE Office of English Language Acquisition Services (Office) to:
 - ⇒ Develop guidelines for the monitoring of school districts and charter schools for the purpose of ensuring compliance with all federal and state laws regarding ELLs.
 - ⇒ In consultation with county school superintendents, develop regional programs to enhance all aspects of training for teachers and administrators.
 - ⇒ Publish ELL policy guidelines that include a list of relevant rules, regulations and statutes relating to ELL programs to notify school districts and charter schools of their responsibilities.

- ⇒ Require each school district and charter school to annually submit a report to the ADE including information identified by grade level and by school.
- ⇒ Determine the mobility of ELLs within the same school district and to other school districts and charter schools through the SAIS.
- ⇒ Submit an annual report to the JLBC that includes an itemized list of all federal monies received by the ADE for ELLs, a list of how much of these monies were distributed to school districts on a district by district basis and the purposes for which these federal monies are designated.
- ⇒ Submit an annual report to the Governor, the Legislature and the SBE that includes a detailed analysis of whether and to what extent pupils are benefiting academically from compensatory instruction and a comparison of the academic achievement of pupils before and after receiving compensatory instruction.

Monitoring

- Requires the Superintendent to direct the Office:
 - ⇒ To monitor each year at least 12 school districts or charter schools from the 50 school districts or charter schools in this state with the highest number of ELLs. The ADE must monitor all 50 school districts or charter schools with the highest number of ELLs in Arizona at least once every four years.
 - ⇒ To monitor each year at least ten school districts or charter schools that are not included in the 50 school districts or charter schools with the highest number of ELLs.
 - ⇒ To monitor each year at least ten school districts or charter schools that are not required to provide instruction for ELLs for a majority of their grade levels.
 - ⇒ That the school districts and charter schools listed above must be chosen in the ADE's sole discretion based on the ADE's review of the reports submitted by school districts and charter schools.
- Requires ADE monitoring to be on-site and to include classroom observations, curriculum reviews, faculty interviews, student records, a review of ELL programs and an analysis of programmatic effectiveness. The ADE must determine compliance with federal or state law and issue a report within 45 days after completing the monitoring. Within 60 days of the ADE report, the school district or charter school must submit a corrective action plan to the ADE that sets forth the steps to be taken to correct the deficiencies noted in the report. Within 30 days of receiving the corrective action plan, the ADE must review and may require changes to the plan, then return the plan to the school district or charter school. Within 30 days of receiving the corrective action plan back from the ADE, the school district or charter school must implement the measures.

- Requires the ADE to conduct a follow-up evaluation of the school district or charter school within one year after the date of issuing the changed corrective action plan. If the ADE finds continued noncompliance during the follow-up evaluation, the school district or charter school must be referred to the SBE for determination of noncompliance for the purposes of continuing to receive SEI Fund monies. A school district or charter school determined to be noncompliant shall not reduce the amount of funds spent on its ELLs as a result of its loss of SEI Fund monies because of continued noncompliance. The ADE must continue monitoring school districts or charter schools that the SBE has determined are noncompliant and are no longer receiving SEI Fund monies to ensure that the school district or charter school has not reduced the amount of funds spent on their ELL programs as a result of noncompliance.

Auditor General Duties

- Requires the Auditor General to:
 - ⇒ Biennially audit the overall effectiveness of the ELL program based on performance based outcome measurements and increased English proficiency.
 - ⇒ Review the mobility of English proficient students and ELLs.
 - ⇒ Conduct financial audits on school districts that are monitored as provided. The audits must include a review of the SEI budget requests and the SCIF budget requests. The Auditor General may conduct financial audits on randomly selected school districts that are not currently being monitored as provided.
 - ⇒ Determine whether school districts that receive grants from the SEI Fund and the SCIF are in compliance with specified state law through performance audits conducted by the school-wide audit teams.

Appropriations

- Appropriates \$10,000,000 in FY 2006-07 from the state General Fund to the ADE for the SCIF.
- Appropriates \$2,555,000 in FY 2005-06 and \$4,610,000 in FY 2006-07 from the state General Fund to the ADE for statutory duties and for the costs of providing English language proficiency assessments, scoring and ancillary materials to school districts and charter schools. Allows the ADE to hire staff or contract out with a third party for specified duties. Additionally, the ADE may use a portion of these monies to contract with one or more private attorneys to provide legal services in connection with the Flores v. State of Arizona case.
- Appropriates \$2,500,000 in FY 2006-07 from the state General Fund to the Auditor General for specified duties.
- Appropriates \$14,300,000 in FY 2006-07 from the state General Fund to the ADE for distribution to school districts and charter schools for the increased Group B ELL weight.

Miscellaneous

- Declares that the SBE must require all approved teacher training programs that provide a degree in education to require courses that are necessary to obtain a full SEI endorsement.
- Requires the ADE to include the results of ELL English language proficiency tests, reassessment tests and reevaluation tests in the school achievement profiles.

- Declares that the new sections relating to English Language Education do not relieve school districts and charter schools from ensuring that they are in compliance with the requirements of federal and state law.
- States that if a school district is levying a primary property tax on February 23, 2006 and using those monies to administer an ELL program to remedy alleged or proven discrimination under Title VI of the Civil Rights Act of 1964, the school district may spend those monies to remedy a violation of specified federal law.

HB 2066 – Chapter 16 – charter school teachers; grading; immunity

Expands teacher immunity from personal liability for all acts done and actions taken in good faith in evaluating or grading any student to include full-time noncertificated teachers.

HB 2140 – Chapter 326 – *schools; physical education; pilot program

Establishes the Physical Education Pilot Program (Program) within the Arizona Department of Education (ADE) to end on September 30, 2011. Participating school districts and charter schools must include a curriculum that contains specified criteria, must ensure pupil participation for at least 150 minutes per week for FYs 2006-07 and 2007-08, unless the pupil's individualized education plan provides otherwise and must annually report to the ADE on specified criteria. Additionally, \$600,000 is appropriated in FY 2006-07 from the state General Fund to the ADE for the Program, nonlapsing until July 1, 2008, and the ADE is required to report by December 15, 2008 to the Governor and the Legislature summarizing the effectiveness and costs to the participating schools.

- Establishes the Program within the ADE consisting of at least three schools. The ADE must establish application procedures and additional selection criteria for school districts or charter schools to participate. Grant applications must include a detailed analysis clearly indicating what is necessary for the school to participate in the Program and how the monies will be used to meet the necessary requirements of the Program for two years.
- Requires participating schools to ensure that every pupil in grades 1-12 participates in physical education, unless the pupil's individualized education plan provides otherwise. For FYs 2006-07 and 2007-08, pupils must participate in physical education for at least 150 minutes each school week consisting of a combination of physical education programs and additional physical activities, including healthy schools programs that are integrated into existing curricula.

HB 2359 – Chapter 240 – school profiles; school district accountability

Changes the penalty for charter schools designated as underperforming who fail to submit an improvement plan to the Superintendent of Public Instruction (Superintendent), requires school district governing boards, in cooperation with its schools designated as underperforming, to develop and submit to the Arizona Department of Education (ADE) an action plan and allows the ADE to withhold up to 10% of state monies entitled to a school district if no action plan is submitted.

- Requires the ADE to work with staff at an underperforming school to assist in curricula alignment and instruction of teachers of how to increase pupil academic progress, considering the school's achievement profile.
- Requires the solutions team to present a statement of its findings to the school administrator and school district superintendent. Within 45 days of the statement of findings, each school district governing board, in cooperation with each underperforming school and its assigned solutions team representative, must develop and submit to the ADE an action plan detailing how the school district will help each underperforming school as the school incorporates the findings of the solutions team into its improvement plan. The ADE must review and accept the school district's action plan or return it to the school district for modification.

- Permits the SBE to instruct the Superintendent to withhold up to 10% of state monies a school district is otherwise entitled to receive each month if the school district does not submit an approved action plan within 45 days of receiving the solutions team's statement of findings. Monies must be returned when the school district attains compliance.

HB 2486 – Chapter 25 – schools; textbooks; digital content

Defines the term *textbook* for K-12 and amends the definitions of *nonprinted instructional materials* and *printed instructional materials* in regards to accessibility to textbooks and instructional materials.

HB 2505 – Chapter 379 – school budgets; annual reports

Removes the requirement for school district budgets to be conducted on a school by school basis, requires school districts, beginning in FY 2006-07, to report annual expenditures for maintenance and operations, unrestricted capital outlay, soft capital, deficiencies correction and building renewal on a school by school basis as part of the school district's Annual Financial Report and requires that school by school expenditure data for federal and state projects be included with the school district financial reports the Superintendent of Public Instruction (Superintendent) annually compiles.

HB 2552 – Chapter 336 – schools; gifted pupils; programs; funding

Increases the additional assistance for programs for gifted pupils, expands the scope and sequence requirements, establishes additional duties for the State Board of Education (SBE), the Superintendent of Public Instruction (Superintendent), the Arizona Department of Education (ADE) and school district governing boards for gifted programs and appropriates \$2,000,000 in FY 2006-07 from the state General Fund to the ADE for the increased additional assistance.

- Requires school district governing boards to modify the course of study and adapt teaching methods, materials and techniques to provide educationally for those pupils who are gifted and possess superior intellect or advanced learning ability, or both, but may have an educational disadvantage resulting from a disability or a difficulty in writing, speaking or understanding the English language due to an environmental background in which a language other than English is primarily or exclusively spoken.
- Requires a school district in which a gifted pupil transfers into to determine in a timely manner whether to identify that pupil as gifted. Transferring pupils identified as gifted must be provided gifted education without unreasonable delay.
- Requires programs and services for gifted pupils to be provided as an integrated, differentiated learning experience during the regular school day.
- Increases the penalty for failing to submit or failing to receive approval for the gifted education scope and sequence.
- Increases the additional funding for gifted programs to \$75 per pupil for up to 4% of the student count or \$2,000, whichever is greater.

HB 2676 – Chapter 340 – private schools; scholarships; disabled pupils

Establishes the Arizona Scholarships for Pupils with Disabilities Program (Program) for parents of a pupil with disabilities to attend a public or eligible qualified school of the pupil's choice, creates eligibility criteria of parents and qualified schools, establishes statutory obligations of Program participants, establishes the Arizona Scholarship for Pupils with Disabilities Program Fund (Fund), appropriates \$2,500,000 in FY 2006-07 from the state General Fund to the Arizona Department of Education (ADE) for the purposes of the Program nonlapsing until July 1, 2008 and repeals the Program on July 1, 2016.

- Allows the parent of a pupil with a disability who is attending a public school they are dissatisfied with to request and receive a scholarship for the child to enroll in and attend any qualified school if the child: has spent the prior school year in public school attendance; the parent has obtained acceptance for admission of the pupil to the eligible qualified school; and the parent has provided written or electronic notification to the school district of the request for a scholarship at least 60 days prior to the date of the first scholarship payment.
- Requires school districts and charter schools to enroll any child eligible under this Program.
- Requires each school district to timely notify the parent of each pupil with a disability of all scholarship options under the Program and to offer that pupil's parent an opportunity to enroll in another public school within the school district.
- Applies statutory transportation provisions to the Program.
- Requires the parent to notify the school district 60 days before the first scholarship payment and before enrolling the child in the eligible qualified school if the pupil's attendance is pending availability of space.
- Requires each school district to notify the ADE within 10 days of receiving notification of a parent's intent to apply for a scholarship.
- Requires the parent to request the scholarship at least 60 days before the date of the first scholarship payment.
- Requires parents to restrictively endorse the scholarship warrant to the qualified school for deposit into the account of the qualified school.
- Caps the maximum scholarship amount.
- Allows the ADE to make a partial scholarship payment on behalf of any participating pupil to any eligible qualified school that requires partial payment of tuition before the start of the academic year to reserve space for pupils. The partial payment is capped and limited.
- Requires each school district to report to the ADE on the number of all participating pupils.
- Establishes the Fund administered by the ADE consisting of appropriated monies. The ADE must formulate the total amount from the Fund and transfer these monies to the parents in quarterly installments. The ADE must receive all documentation required for the pupil's participation at least 30 days before the first quarterly scholarship payment is made, and the ADE is prohibited from making any retroactive payments from the Fund.
- Requires the Superintendent of Public Instruction, upon proper documentation reviewed and approved by the ADE, to make four equal quarterly installments on dates selected by the ADE on verification of continued enrollment and attendance at the qualified school. Payment must be an individual warrant payable to the pupil's parent and mailed by the ADE to the qualified school of the parent's choice, and the parent must restrictively endorse the warrant to the qualified school.
- Allows the State Board of Education to adopt rules to carry out the purposes of the Program.

HB 2700 – Chapter 341 – JTEDs: omnibus

Establishes joint technological education district (JTED) governing board responsibilities, requires intergovernmental agreements (IGA) or written agreements between JTEDs and other education entities, lists the requirements of the IGAs or written agreements, caps JTED basic state aid entitlement and expansion or growth in FY 2006-07, retroactively caps the property tax levied by a JTED at \$.05/\$100 of assessed valuation except for bond monies, prohibits a JTED from levying a property tax for adjacent ways, defines the terms *joint technological education course* and *joint technological education district* and makes numerous other changes to the statutes related to JTEDs.

- Establishes and limits the ADM shared between a charter school and a JTED at 1.25 to be apportioned between the charter school and the JTED based on the percentage of total time that the pupil is enrolled or in attendance for a charter school pupil residing within the boundaries of a school district that is part of the JTED.
- Places the content and quality of the courses offered by the JTED, the quality and salaries of teachers who provide instruction on behalf of the JTED and the reimbursement of other entities for the facilities used by the JTED under the management and control of the JTED governing board.
- Precludes pupils in grade 9 from being included in the average daily attendance or ADM if enrolled in a career exploration course.
- Requires agreements between JTEDs and a school district, another JTED, a charter school or a community college district to be in the form of IGAs or written contracts.
- Requires each initial IGA or other written contract and any addendums between the governing board of a JTED and another JTED, school district, charter school or a community college district be submitted to the Joint Legislative Budget Committee (JLBC).
- Requires each JTED, by December 1 annually, to submit a detailed report on data specified to the Career and Technical Education Division (Division) of the Arizona Department of Education. The Division is required to collect, summarize and analyze the data, and submit an annual report summarizing the data to the Governor, the Legislature and the SBE.
- Retroactively allows the ADM of a pupil enrolled in a course that meets for at least 150 minutes per class period at a centralized campus owned and operated by a JTED to be .75.
- Requires the ADE, by July 1, 2007, to submit a report to the JLBC listing all JTED courses offered in FY 2005-06 and all JTED courses offered and approved in FY 2006-07.
- Requires each JTED to submit a course to be offered in school year 2007-08 for approval to the Career and Technical Education Division of the ADE by January 1, 2007.

HB 2788 – Chapter 385 – commission; civic education and engagement

Establishes the 9-member State Commission on Civic Education and Civic Engagement (Commission) until July 1, 2016 to promote the informed, responsible participation in political activities by American citizens who are committed to the fundamental values and principles of the American system and to promote civic education and engagement in civic activities for persons of all ages. Additionally, membership and duties are delineated.

HB 2817 – Chapter 343 [E] – school district budgets; debts

An emergency measure that allows a county treasurer to register warrants on the debt service account of a school district under receivership if insufficient cash balances exist to cover the debt service payment, allows a school district that miscalculated their budget during FY 2004-05 to correct those errors over a five year period, with interest, if the school district was placed under receivership on or before December 31, 2005 and the total amount of the correction is between \$300,000 and \$700,000 and appropriates \$318,100 in FY 2005-06 to the Colorado City Unified School District to pay for three debt service payments. The appropriation must be repaid to the ADE over a five year period, and may be repaid quicker if the Colorado City Unified School District sells capital facilities and applies those proceeds to the repayment of the appropriation. Colorado City Unified School District is exempted from statutes regarding the sale of capital facilities until July 1, 2009 and is not required to remit proceeds from the sale of capital facilities in excess of \$318,100.

SB 1094 – Chapter 217 [E] – school boundary changes; financial impact

An emergency measure requiring residential and business property tax information, as delineated, to be included on ballots and publicity pamphlets regarding specified school district elections, and modifies the requirement for school districts to mail a publicity pamphlet to each qualified elector in the school district to mailing the publicity pamphlet to each household in the school district in which qualified electors reside. Additionally, students from an unorganized territory attending an adjacent school district through open enrollment or through certificates of educational convenience are allowed to continue enrollment in the existing school district even if the unorganized territory votes to form a new unified school district or joins with a different adjacent school district, and siblings of exempted students are allowed to attend the same adjacent existing school district.

- Requires a county school superintendent, prior to calling an election to change school district boundaries for an unorganized territory, to conduct at least two public meetings and to prepare a pamphlet to include specified residential and business property tax information to be mailed to each household containing a qualified elector in the school district.
- Requires school district governing boards to mail a pamphlet to each household that contains a qualified elector in the school district at least 90 days before the governing boards vote on the formation of a unified school district. The pamphlet must include specified residential and business property tax information.
- Specifies residential and business property tax information that must be included in the report on proposed boundary changes a county school superintendent prepares and the school district governing board distributes for consolidation of school districts.
- Conforms statute by requiring all school districts to send an informational report and sample ballot to the households within the school district in which qualified electors reside for budget override elections.

SB 1164 – Chapter 358 – *displaced pupils choice grant program

Establishes the Displaced Pupils Choice Grant Program (Program) to allow a custodian to apply for and receive a grant for redemption at any grant school. The grant must be applied towards tuition and fees for the educational and related services provided by the grant school. Additionally, the bill: establishes grant and grant school eligibility; admission and application criteria; the Displaced Pupils Choice Grant Fund (Fund) within the Arizona Department of Education; appropriates \$2,500,000 from the state General Fund in FY 2006-07 to the Fund and makes the appropriation non-lapsing until June 30, 2008; and repeals the Program June 30, 2011.

- Declares that the grants constitute grants of aid to children through their custodian, and not as grants of aid to the grant school.

- Declares that a custodian is free to choose any grant school for the pupil, and that selection shall not be deemed a decision by the State or any of its political subdivisions.
- States that a pupil who received a grant in the prior school year shall continue to receive the grant if the pupil completed all necessary coursework to be promoted to at least the next grade level in the grant school, the pupil is in good academic standing with the grant school and the custodian completes all applications required by the grant school and the Arizona Department of Education (ADE).
- Allows a grant school to charge the pupil an amount above the grant value that represents the difference between the grant and the tuition and fees.
- Establishes a grant value of the lesser of \$5,000 or the total amount of tuition and fees charged by the grant school.
- Requires the ADE to issue the grant in quarterly installments to the custodian immediately upon receipt of proof of the pupil's enrollment in a grant school. All installments must be made upon verified enrollment and attendance in the grant school. The custodian must restrictively endorse and surrender the grant for use by the grant school. The grant school must immediately credit the pupil's account for payment of tuition and fees.

SB 1184 – Chapter 359 – *appropriation; alternative teacher development program

Requires the State Board of Education (SBE) to establish the Alternative Teacher Development Program (Program) to accelerate the process of identifying, training and placing highly qualified individuals into low income schools through the use of teaching intern certification and the identification of a qualified service provider, requires the Arizona Department of Education (ADE) to develop application procedures, selection criteria and minimum performance standards for the Program, appropriates \$2,000,000 from the state General Fund to the ADE in FY 2006-07 for the Program, with at least 95% of the monies being awarded to a service provider that meets specified criteria and repeals the Program on July 1, 2016. Additionally, service providers selected to participate in the Program must annually report specified criteria to the ADE and requires the ADE to submit an annual report by December 15 to the Governor and the Legislature that includes an evaluation of the effectiveness of the Program. The report must include a comparison of the annual academic gains of students served by teachers participating in the Program and students served by beginning teachers in the same school.

SB 1205 – Chapter 361 – schools; transportation RCL; limited increases

Retroactively caps the Transportation Revenue Control Limit (TRCL) at 120% of the Transportation Support Level (TSL) beginning in FY 2006-07, increases the school day multiplier within the TSL from 175 to 180 days and appropriates \$5,500,000 to the Arizona Department of Education (ADE) in FY 2006-07 from the state General Fund to fund transportation costs based on a 180 day school year.

SB 1257 – Chapter 161 – school districts; GITA technology standards

Requires the State Board of Education (SBE) to post appropriate educational technology standards that relate to educational technology in school districts established by the Government Information Technology Agency (GITA) on the SBE website, and requires school district governing boards to vote on the adoption of, and requirements to comply with, technology standards if approved. School district technology personnel may present exceptions to technology standards at the public meeting. Contains a delayed repeal of July 1, 2010.

SB 1270 – Chapter 200 – *top elementary schools; publication

Allows the Superintendent of Public Instruction (Superintendent) to prepare and publish on the Arizona Department of Education (ADE) web site the top 50 elementary schools, middle or junior high schools, high schools and charter schools based on the school's academic gains for the 2007-2008 school year according to measures determined by the ADE. Beginning in 2008-2009, the Superintendent may include more than 50 schools in each category if the necessary requirements for inclusion are met, and may include specified information about each school.

SB 1324 – Chapter 250 – *mental health screenings

Requires a school district or charter school to obtain the written consent of a pupil's parent or legal guardian on the form prescribed prior to conducting a mental health screening.

SB 1363 – Chapter 389 – *Indian education act

Establishes the Office of Indian Education (Office) within the Arizona Department of Education (ADE) and specifies its duties.

- Requires representatives from specified entities to assist in evaluating, consolidating and coordinating activities relating to the education of Native American pupils at least annually.
- Requires the Office, in collaboration with entities that serve Native American pupils, to submit an annual statewide Native American education status report to Indian nations that includes data on various specified performance measures based on specified submitted data.
- Requires a school district with tribal lands located within its boundaries to provide a district-wide Native American education status report in a brief format to the ADE and all Indian nations within the school district boundaries that includes data on various specified performance measures.

SB 1380 – Chapter 265 [P 105] – special education; IDEA changes

Aligns Arizona statute relating to the education of children with disabilities to federal code.

- Requires all students with disabilities to be included in state and district academic assessments, with appropriate accommodations and alternate assessments where necessary as indicated in the student's individualized education program (IEP) in accordance with federal law.
- Aligns the statutory child placement evaluation process and requirements for special education with the federal evaluation and placement requirements.
- Requires written consent of the child's parent or guardian before being placed in a special education program.
- Aligns statute to the federal requirements of parental notification regarding the progress of the child with a disability toward meeting the annual goals established in the IEP.
- Requires a school district or charter school to specify explicitly in the official notification to any parent that an initial evaluation may be conducted that the parent has the option to consent or refuse the initial evaluation in accordance with federal law.

SB 1381 – Chapter 266 [E] – failing schools tutoring fund

An emergency measure requiring the Superintendent of Public Instruction (Superintendent) to assign a solutions team to any school pursuant to a mutual agreement between the Arizona Department of Education (ADE) and the school. Additionally, SB 1381 makes changes to alternative tutoring program providers, changes the requirements a provider must meet in order to qualify, requires the State Board of Education (SBE) to annually review academic performance levels for certified providers and limits by grade the pupils who may select an alternative tutoring program in academic standards from a provider certified by the SBE. The SBE may remove providers from the approved list if the stated level of academic improvement is not met. Finally, the ADE may use monies from the Failing Schools Tutoring Fund to purchase materials designed to assist students to meet the Arizona Academic Standards and to achieve a passing score on the AIMS test in order to graduate from high school.

SB 1382 – Chapter 305 [E] – AIMS test; dropout prevention

An emergency measure that adds service to at-risk pupils in seventh grade or eighth grade and for twelve months following a pupil's exit from the Arizona Instrument to Measure Standards Intervention and Dropout Prevention Program (Program) to the requirements a service provider must meet in order to receive monies to participate in the Program. Additionally, the Arizona Department of Education may use monies for the Program appropriated by the Legislature to purchase materials designed to assist students to meet the Arizona Academic Standards and to achieve a passing score on the Arizona Instrument to Measure Standards test

SB 1443 – Chapter 282 – *AIMS test; alternative graduation requirement

Allows elective courses that satisfy the requirements of the State Board of Education to be included as additional credit to augment a pupil's score on the Arizona Instrument to Measure Standards test.

SB 1512 – Chapter 375 – *e-learning digital institute; data warehouse

Establishes an 11-member E-Learning Task Force (Task Force) under the Arizona Department of Education (ADE) charged with examining e-learning programs from other states, analyzing potential implementation methods, developing innovative e-learning solutions and annually reporting to the Legislature regarding e-learning programs and solutions. The Task Force terminates on July 1, 2016. Additionally, the three-year E-Learning Pilot Program (Pilot Program) is established, along with the E-Learning Fund (Fund), to help up to ten schools to achieve academic and motivational gains based on the state and national average. Finally, SB 1512 appropriates \$3,000,000 in FY 2006-07 to the ADE for the Pilot Program, and repeals the Pilot Program and Fund from and after August 31, 2011.

- Requires the Task Force, by December 15, 2006 and in cooperation with the ADE, to prepare an actionable request for proposals (RFP) to implement the Pilot Program. Additionally, the Task Force must submit the preliminary RFP to the Joint Legislative Budget Committee (JLBC) for review and comment. The RFP must require all responses to meet the Government Information Technology Agency standards, and must include specified criteria.
- Requires the Task Force to finalize the RFP based on the JLBC comments, and the ADE must issue the RFP within 30 days of the JLBC hearing. Within 180 days of issuance, the ADE must award the contract or contracts.
- Requires the overall e-learning system to be implemented through a three-year Pilot Program that delivers specified criteria.

- Requires the ADE, in cooperation with the Task Force, to establish application procedures and additional selection criteria for schools to participate in the Pilot Program after the ADE has awarded a contract. Participating schools must provide instruction in any two grades from grades 6-9 in up to 10 schools.
- Requires the ADE, in cooperation with the Task Force, to submit a report by November 15, 2010 to the Governor and the Legislature that summarizes the results of the Pilot Program.
- Appropriates \$3,000,000 from the state General Fund to the ADE in FY 2006-07 for the Pilot Program. The ADE may distribute appropriated monies in FYs 2006-07 through 2009-2010.

SB 1551 – Chapter 178 – *board of supervisors; accommodation schools

Prohibits the county board of supervisors, until July 1, 2010, from providing necessary expenses from the Special County School Reserve Fund without an intergovernmental agreement with the county school superintendent delineating the county's responsibilities for financial contributions to an accommodation school budget, including any conditions related to the expenditures and any financial reporting required of the county school superintendent. The county school superintendent must provide an annual report to the county board of supervisors by April 1 on the county school superintendent's plans for the provision of accommodation school services for the next school year and the projected number of students at each accommodation school in the district. Additionally, the county school superintendent must annually provide the county board of supervisors by June 1 with estimated revenues from the state and any other financial information the county board of supervisors may request. Finally, SB 1551 establishes the 12-member Joint Legislative Study Committee on Accommodation School District Governance and Financing charged with specified duties until January 1, 2008.